

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In Re:
Michael J. Rovnak**CONDITIONAL ORDER**

Debtor.

Case No.: 1-16-10618-clb
(Chapter 13)

U.S. Bank Trust, N.A., as Trustee for VOLT Participation Trust 2011-NPL2, by Caliber Home Loans, Inc., as its attorney in fact, ("Secured Creditor") having moved this Court for an Order terminating the automatic stay as to Secured Creditor's interest in the premises commonly known as 51 Pine Court North, West Seneca, NY 14224 ("Mortgaged Premises") of which Debtor is the record owner, and

The motion having been set to be heard before this Court on the 1st day of August, 2016, and Gross Polowy, LLC attorneys for Secured Creditor, being in support of this motion, and no opposition having been submitted by Jeferey L. Sapir, Esq., the Chapter 13 Trustee, by the U.S. Trustee or by Gray R. Gjertsen, Esq., counsel for the Debtor, and the terms of this Conditional Order having been negotiated by and between the counsel for the Debtor and counsel for Secured Creditor, and due deliberation having been had, now

Upon Reading and Filing of the Notice of Motion, the Application of Secured Creditor dated the Seventh day of July, 2016, and proof of service upon all necessary parties, upon motion of Gross Polowy, LLC, and all parties having agreed that the Debtors are in default for the monthly post-petition payments due April 5, 2016 through and including August 5, 2016 each in the amount of \$2,527.09, and attorney fees in the amount of \$350.00 and costs in the amount of \$176.00 and that the Debtors are entitled to a credit in the amount of \$2,478.05 held in Debtor's suspense account, thereby resulting in a total due in the sum of \$10,683.40 (the "Total Dues"); and it is further

ORDERED, that the Debtors pay on or before September 15, 2016 to Secured Creditor at Caliber Home Loans, P.O. Box 650856, Dallas, TX 75265-0856, the sum of \$5,341.70 which is to be applied to the Total Dues;

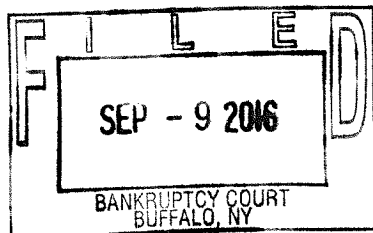
and it is further

ORDERED, that the Debtors pay on or before October 15, 2016 the sum of \$5,341.70 which is to be applied to the Total Dues; and it is further

ORDERED, that the Debtors pay all future monthly mortgage installments, to Secured Creditor, as they become due, commencing with the installment payable on September 1, 2016 in the amount of \$2,527.09, time being of the essence, with a default being deemed to have occurred in the event that any monthly mortgage payment is not received within fifteen (15) days of the date in which it is due; and it is further

ORDERED, that should the Debtors default in making any of the payments specified above, the Attorney for the Secured Creditor shall send a Notice of Default to the Debtors which shall outline the amount of the default and provide the Debtors ten (10) days to cure such default, and if the Debtors fails to cure the default, the Secured Creditor may submit an Ex-Parte and final Order lifting the stay to the Court.

SEP - 9 2016
DATED: Buffalo, New York
_____, 2016



Hon. Carl L. Bucki
United States Bankruptcy Judge